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**I P C S B**  
INDIANA PROFESSIONAL STANDARDS BOARD

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## MEMORANDUM

To: Members, Indiana Professional Standards Board

From: Philip R. McGovern, General Counsel

Date: March 4, 2002

Re: Vicki Harris – Action on ALJ decision following hearing on appeal of waiver denial

Vicki Harris (“Petitioner”) applied for a vocational administrator’s license and on November 16, 2001, Shawn Sriver, Director of Licensing, advised her in writing that her application had been denied because she did not have a professional vocational teaching license and because she had not completed an approved administration and supervision program for director of vocational education.

Petitioner appealed this determination and a hearing on her appeal was held on February 20, 2002 before Administrative Law Judges Steve Yager and John Marsteller. Following the hearing, the Judges ruled that the Petitioner’s appeal should be denied because she does not hold a professional license to teach a vocational subject and because she has not completed the minimum program required by 511 Indiana Administrative Code 1-1-87(a) and she cannot, therefore, be granted a license as director of vocational education. The Judges also found that, despite Petitioner’s extensive and impressive experience in the vocational education field, there is no legal authority for them to exempt her from the clear requirements of the applicable rules and statutes.

Under Indiana Code 4-21.5-3-29 the Indiana Professional Standards Board or its designee must make a final order with respect to the decision of the Administrative Law Judges whereby their decision is affirmed, modified, dissolved or remanded for further proceedings.

Recommendation:

The staff recommends that the Board affirm the decision of the Administrative Law Judges to deny Petitioner’s appeal, thereby denying her a waiver from the requirements for the issuance of a license as a director of vocational education.

Indiana Professional Standards Board Action:

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Attachments: Findings of Fact and Conclusions of Law of Administrative Law Judges

Distribution: Vicki Harris, P. O. Box 1187, Muncie, IN 47308  
John Marsteller, ALJ  
Steve Yager, ALJ  
Marie Theobald, Executive Director  
Shawn Sriver, Director of Licensing  
File